

OCT 24 2005

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**FROM:** Christine A. Gritzmacher  
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**TO:** Examiner: Baskar, P.  
Group 1645

U.S. Patent & Trademark Office

Facsimile No. (571) 273-8300

Number of pages (including this cover page): 45

In re Patent Application of:	)	Group Art Unit: 1645
	)	
NORMAN <i>et al.</i>	)	Examiner: Baskar, P.
	)	
Serial No. 10/712,654	)	Atty. Docket No. GP141-03.UT
	)	
Filed: November 12, 2003	)	Confirmation No. 8961
	)	
Title: ASSAY AND COMPOSITIONS FOR	)	Date: October 24, 2005
DETECTION OF <i>BACILLUS ANTHRACIS</i>	)	

Attached hereto are the following documents:

- 1) Information Disclosure Statement (2 pgs.)
- 2) PTO/SB/08a (1 pg. in duplicate - 2 pgs. total); and
- 3) One (1) Reference (40 pgs.)

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence (and any referred to as attached) is being sent by facsimile to 571-273-8300 on the date indicated below to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450.

Date: October 24, 2005

By: Christine A. Gritzmacher  
Christine A. Gritzmacher  
Registration No. 40,627  
Attorney for Applicants

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	)	Group Art Unit: 1645
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Serial No.: 10/712,654	)	Confirmation No. 8961
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Filed: November 12, 2003	)	Atty. Docket No.: GP141-03.UT
	)	
For: Assay and Compositions for Detection	)	
of <i>Bacillus Anthracis</i> Nucleic Acid	)	

## INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants bring to the Examiner's attention the reference listed on the enclosed Form PTO/SB/08 (two copies) for consideration in connection with the examination of the above-identified application. A copy of the cited reference is enclosed herewith.

This Information Disclosure Statement is being submitted under 37 C.F.R. § 1.97(b) before the mailing date of a first Office action on the merits. If Applicants are mistaken, and a first Office action on the merits was mailed on or before the certified mailing date indicated below, then the undersigned certifies under 37 C.F.R. § 1.97(e)(1) that each reference identified in the Form PTO/SB/08 was cited in the PCT Search Report of the International Searching Authority, which was mailed less than three months ago in a counterpart international application and was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the mailing date of this Information Disclosure Statement. And if such action is a final Office action or notice of allowance, then petition is hereby made under 37 C.F.R. § 1.97(d) for consideration of this Information Disclosure Statement. In this circumstance, the petition fee due under 37 C.F.R. § 17(p) should be charged to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.

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Serial No. 10/712.654  
Atty. Docket No. GP141-03.UT

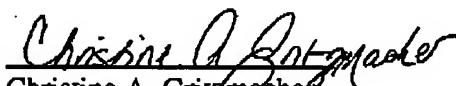
Applicants respectfully request that the Examiner indicate consideration of the cited reference by returning a copy of the attached Form PTO/SB/08 with the Examiner's initials or other appropriate marks.

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Respectfully Submitted,

Date: October 24, 2005

By:   
Christine A. Gritzmacher  
Registration No. 40,627  
Attorney for Applicants

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OCT 24 2005

PTO/SB/08a (08-03)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Complete if Known	
				Application Number	10/712,654
(Use as many sheets as necessary)				Filing Date	Nov. 12, 2003
				First Named Inventor	NORMAN et al.
Sheet 1 of				Art Unit / Conf. No.	1645 / 8961
				Examiner Name	Baskar, P.
				Attorney Docket Number	GP141-03.UT

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-			
		US-			
		US-			
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	6 T
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
		WO02/04646	01-17-2002	The Secretary of State For Defense [GB]		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 801.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.10 if possible. <sup>6</sup> Applicant is to place a check mark here if English language translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1480, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1450.

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PTQ/SB/08B (08-03)

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Sheet	1	of				
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		US-				
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